

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

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Illinois Commerce Commission  
RAIL SAFETY SECTION

Union Pacific Railroad Company, )  
)  
Stipulated Agreement regarding improving public ) T01-0025  
safety by the installation of automatic flashing light )  
signals equipped with four quadrant gates and vehicle )  
detection and by highway approach reconstruction )  
to accommodate the detection system at twelve )  
Union Pacific Railroad Company crossings with highways )  
in McLean County, Illinois, set forth in Exhibits A-1 )  
through A-12 attached hereto. )

**THIRD SUPPLEMENTAL PETITION**

Union Pacific Railroad Company hereby moves the Commission for an extension of time to and including August 31, 2003 within which to complete the grade crossing improvements and authority to expend additional project funds at the following crossings:

DOT 290786R, Chenoa, Township Road TR35A;  
DOT 290791M, Lexington, North Street;  
DOT 290793B, Lexington, Chestnut Street;  
DOT 290795P, Lexington, FAS472 (2225E, Killian);  
DOT 290801R, Towanda, Madison Street;  
DOT 290803E, Towanda, Township Road TR306A (Airport Road);  
DOT 290802X, Towanda, Jefferson Street;  
DOT 290798K, Towanda, TR358A (2150 E);  
DOT 290794H, Lexington, TR83 (Dameron Road);  
DOT 290792U, Lexington, Main Street;  
DOT 290790F, Chenoa, Township Road TR424A (Orange Street);  
DOT 290781G, Chenoa, Township Road TR23A (3000N)

ordered by the Commission in its Order of May 9, 2001 pursuant to stipulated agreement. The deadline was initially extended to May 31, 2001 and subsequently extended to August 31, 2002, but it is impossible to meet that deadline and further extension is needed for the following reasons and based on the following grounds:

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1. Union Pacific Railroad Company was required to relocate the signal installation foundations at numerous of the twelve locations in order to provide a minimum standard road width of 20 feet requested by the Illinois Commerce Commission staff. Initially, the foundations were located in accord with the actual measured width of the roadways, but the staff subsequently requested that a minimum standard of twenty feet be used instead of the actual measured width.

2. Jefferson Street in Towanda has been redesigned pursuant to ICC Order in a different proceeding. However, this has required that the foundations for the signal installation at Jefferson Street be relocated to accommodate those changes.

3. Delays were encountered in reconfiguring and reinstalling the test flasher and gate assembly for four quad gate installation. A test flasher and gate assembly was initially set up for ICC staff approval but was determined to require redesign in order to ensure that the gate arms cleared the flasher hoods. The test flashers had to be redesigned and restudied.

4. Additional delays were encountered once the test flashers were approved in order to reconfigure the signal masts for other permanent installations. These masts had already been shipped and it took substantial additional time to reconfigure the masts so that the gate arms cleared the flasher hoods.

5. A number of components were received late due to delayed delivery from the suppliers, including the EGMS equipment and loop detection circuits which had to be redesigned and repaired by the suppliers after failure in the field, and the PTC crossing WIU racks. Late delivery of these components meant that they could not be installed in the cabins at the shop, but

had to be installed in the cabins in the field, which is a far more costly and time consuming process.

6. The factors listed above have caused both significant increase in costs and time delays.

7. For all of the above reasons, Union Pacific Railroad Company will not be able to complete installation of the signals at these twelve locations until December 31, 2002.

8. Union Pacific Railroad Company requests this extension be granted without hearing.

9. In addition to the time delays caused by the above for the same reasons as stated in Paragraphs 1 through 5, the costs of the project to Union Pacific Railroad Company has risen significantly above the original estimates. The estimate for work to be done by Union Pacific Railroad Company upon which the Stipulated Agreement was based was \$2,862,816.00. To date, Union Pacific Railroad Company has already spent \$3,530,292 and believes that an additional \$198,816 will be required to complete the work, for a total of \$3,729,158. This is \$866,342 over the estimate included in the Stipulated Agreement.

10. The above delays and cost increases were not the fault of any party. The four-quad gates being installed in this project are new to the industry and require new design and construction on an experimental technology basis. Failures and redesign are a constant issue in such situations and have been and will continue to be encountered.

WHEREFORE, Union Pacific Railroad Company requests that the Commission grant an extension of time to and including August 31, 2003 within which to complete the grade crossing

improvements at the above specified crossings and further requests that it authorize Union Pacific Railroad Company to expend an additional \$866,342 of project funds.

UNION PACIFIC RAILROAD COMPANY

BY: 

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(Exhibit A-1 through A-12 were attached to the original Order and have not been attached to this document).

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was mailed first class mail, postage prepaid, this 30<sup>th</sup> day of August, 2002 to:

Mr. Jim Easterly  
Illinois Department of  
Transportation  
2300 South Dirksen Parkway  
Room 204  
Springfield, IL 62794

Mr. John Blair  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701

